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LYNN FAZZ  
CLERK OF SUPERIOR COURT  
YUMA ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YUMA

In the Matter of:

**REVISION OF CALENDAR  
ASSIGNMENTS AND REVISION OF  
CASE ASSIGNMENTS FOR THE  
SUPERIOR COURT IN YUMA  
COUNTY, ARIZONA AS OF  
JANUARY 13, 2012,**

Administrative Order

**2012-28**

This Administrative Order supersedes and takes the place of Administrative Order 2011-21 and 2012-04.

The Superior Court in Yuma County wants to maintain its effective caseflow management system. Case disposition statistics and best practices dictate that in order for the courts to maintain effective disposition of felonies, and to effect timely disposition of all other cases, that assignment of criminal, civil, domestic relations, juvenile, guardianship and conservatorship, probate, mental health, adoption, and other proceedings among the different Divisions/Commissioners of the Yuma County Superior Court be changed consistent with this Administrative Order.

**IT IS THEREFORE ORDERED**, effective January 1, 2013, and until further order of the Presiding Judge, assignments are made for the Judges and Commissioners of the Yuma County Superior Court as set forth below:

- (1) Mark Wayne Reeves shall remain assigned to Division One;
- (2) John Paul Plante shall remain assigned to Division Two;
- (3) Larry Kenworthy shall remain assigned to Division Three;
- (4) A. James Clark, shall be assigned to Division Four;
- (5) John N. Nelson shall remain assigned to Division Five;
- (6) Maria Elena Cruz shall remain assigned to Division Six;
- (7) Kathryn Stocking-Tate shall remain assigned as Commissioner One;
- (8) David M. Haws shall be assigned as Commissioner Two; and
- (9) Lisa W. Bleich shall remain assigned as Commissioner Three.

**IT IS ORDERED** effective January 1, 2013, and until further order of the Presiding Judge, the **CRIMINAL CASE** assignments shall be as follows:

- (1) All criminal cases currently assigned to the Honorable Mark Wayne Reeves, Division One, shall be reassigned to the Honorable A. James Clark, Division Four.
- (2) All criminal cases currently assigned to the Honorable Larry Kenworthy, Division Three, shall continue to be assigned to the Honorable Larry Kenworthy, Division Three.
- (3) All criminal cases currently assigned to the Honorable David M. Haws, Division Four, shall be reassigned to the Honorable David M. Haws, Commissioner Two.
- (4) All criminal cases currently assigned to the Honorable John N. Nelson, Division Five, shall continue to be assigned to Honorable John N. Nelson, Division Five.
- (5) All criminal cases currently assigned to the Honorable Maria Elena

1 Cruz, Division Six, shall continue to be assigned to Honorable Maria  
2 Elena Cruz, Division Six.

3 (6) All criminal cases currently assigned to the Honorable Lisa W. Bleich,  
4 Commissioner Three, shall continue to be assigned to the Honorable  
5 Lisa W. Bleich, Commissioner Three;

6  
7 (7) All criminal cases currently assigned to the Honorable  
8 Denise D. Gaumont, Commissioner Two, shall be reassigned  
9 to the Honorable A. James Clark, Division Four.

10 Effective May 7, 2001, all felony criminal complaints filed in justice court  
11 were ordered to be assigned to a Superior Court Division on a rotation basis in justice  
12 court as set forth in paragraphs numbered (1) and (2) below.  
13

14 “(1) The first felony complaint filed on Monday, May 7, 2001 shall  
15 be assigned to Division One. Thereafter, each felony complaint  
16 filed shall be assigned to the next sequentially numbered Division,  
17 e.g., Division Two, then Division Three, then Division Four, and  
18 starting over again with Division One.  
19

20 (2) Fugitive felony complaints shall not be assigned to a Superior  
21 Court Division.”

22 **IT IS ORDERED** effective January 1, 2013 all felony criminal complaints,  
23 including Fugitive felony criminal complaints, shall continue to be assigned on a  
24 rotation basis in Justice Court with the division rotation for assignment of Superior  
25 Court Cases being, Commissioner Two, Division Three, Division Four, Division Six  
26 and Commissioner Three.  
27  
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1 In April, 2002, the Yuma County Attorney's Office instituted a policy of filing  
2 one complaint per defendant in Justice Court which resulted in co-defendants being  
3 assigned to separate Superior Court Divisions. In order for co-defendant cases to be  
4 assigned to the same Superior Court Division,

5 **IT IS ORDERED** that with cases filed beginning January 1, 2013, and until  
6 further order of the Presiding Judge, all felony criminal complaints filed in Justice  
7 Court shall be assigned to a Superior Court Division as set forth above  
8 (Commissioner Two, Division Three, Division Four, Division Six and Commissioner  
9 Three), and that co-defendant cases shall continue to be assigned to the same  
10 Superior Court Division. In order to facilitate this procedure, the Yuma County  
11 Attorney's Office shall continue to file a Notice of Filing Co-Defendant Complaints  
12 when filing co-defendant cases in Justice Court.  
13  
14

15 **IT IS ORDERED** as to cases filed beginning January 1, 2013, that if a criminal  
16 case originates in a manner other than by way of a felony complaint being filed in  
17 Justice Court, such as by way of a Direct Indictment, Lower Court Appeal, or Juvenile  
18 Transfer, the Clerk of the Superior Court shall assign those cases as follows:  
19

- 20 (1) All numbered cases, the last two digits of which number end in 00 and  
21 01, to Commissioner Two;
- 22 (2) All numbered cases, the last two digits of which number end in 02 and  
23 03, to Division Three;
- 24 (3) All numbered cases, the last two digits of which number end in 04 and  
25 05, to Division Four;
- 26 (4) All numbered cases, the last two digits of which number end in 06 and  
27 07, to Division Six; and  
28

1 (5) All numbered cases, the last two digits of which number end in 08 and  
2 09, to Commissioner Three.

3 **IT IS ORDERED** effective as of January 1, 2013, that all pending criminal  
4 cases with warrants outstanding that are currently assigned to the Honorable Larry  
5 Kenworthy, Division Three; the Honorable John N. Nelson, Division Five; the  
6 Honorable Maria Elena Cruz, Division Six; and the Honorable Lisa W. Bleich,  
7 Commissioner Three, shall remain as assigned to those divisions.  
8

9 **IT IS ORDERED**, effective as of January 1, 2013, that all pending criminal  
10 cases with warrants outstanding that are currently assigned to the Honorable David  
11 M. Haws, Division Four, shall be reassigned to the Honorable David M. Haws,  
12 Commissioner Two.  
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14 **IT IS ORDERED**, effective as of January 1, 2013, that all pending criminal  
15 cases with warrants outstanding that are currently assigned to the Mark Wayne  
16 Reeves, Division One and the Honorable Denise D. Gaumont, Commissioner Two,  
17 shall be reassigned to the Honorable A. James Clark, Division Four.  
18

19 **IT IS ORDERED**, effective January 1, 2013, and until further order of the  
20 Presiding Judge, all Arraignments shall continue to be heard by the Honorable Maria  
21 Elena Cruz, Division Six, on Mondays commencing at 10:00 a.m., unless the date  
22 and time is rescheduled by order of the court.  
23

24 **IT IS ORDERED**, effective January 1, 2013, and until further order of the  
25 Presiding Judge, all Motions to Review Conditions of Release shall continue to be  
26 heard before the assigned Judge/Division.  
27  
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1           **IT IS ORDERED**, effective as of January 1, 2013, all defendants placed into  
2 the **S.A.F.E.** program shall continued to be assigned to the Honorable Maria Elena  
3 Cruz, Division Six.

4           **IT IS ORDERED**, effective as of January 1, 2013, all defendants placed into  
5 the **MENTAL HEALTH SPECIALTY COURT** shall be assigned to the Honorable Lisa  
6 W. Bleich, Commissioner Three. Mental Health Court shall be heard on Mondays at  
7 11:00 a.m.  
8

9           **IT IS ORDERED** that all pleadings, minute entries, notices and orders filed by  
10 an interested party in a Superior Court case shall reflect, immediately beneath the  
11 case number, the Division number to which the case has been assigned.  
12

13           **IT IS ORDERED**, that all criminal cases in which a defendant was originally  
14 sentenced by a judge who is active and sitting as designated in Division One,  
15 Division Two, Division Three, Division Four, Division Five and Division Six, or by  
16 Commissioner One, Commissioner Two or Commissioner Three, shall continue to be  
17 assigned to that judge for all petitions for post-conviction relief proceedings.  
18

19           **IT ORDERED** beginning January 1, 2013, that all criminal cases in which a  
20 defendant was originally sentenced by a Judge other than the Honorable Larry  
21 Kenworthy, the Honorable David Haws, the Honorable John N. Nelson, the  
22 Honorable Maria Elena Cruz, the Honorable Lisa W. Bleich, and the Honorable A.  
23 James Clark, shall be assigned to divisions according to the numbering system set  
24 forth above. Such assignments shall include, but are not limited to, Petitions for  
25 Violation of Probation, Petitions for Restoration of Civil Rights, and Petitions to Modify  
26 Probation.  
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1           **IT IS ORDERED**, effective January 1, 2013, and until further order of the  
2 Presiding Judge, the administrative duties and responsibilities of calling and  
3 impaneling grand juries by the Superior Court in Yuma County, and hearings  
4 regarding grand jury presentments shall, in addition to the Presiding Judge, continue  
5 to be assigned to the Honorable John Paul Plante, Division Two. The Honorable  
6 John Paul Plante, Division Two, shall continue to assume the primary assignment of  
7 all matters pertaining to a grand jury requiring the attention of a Superior Court Judge  
8 in Yuma County.  
9

10           **IT IS ORDERED** effective January 1, 2013, and until further order of the  
11 Presiding Judge, the regular criminal calendars (other than jury trials) shall be held as  
12 follows:  
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14           Comm. Two:	Wednesday-8:30 a.m. to Noon and 1:30 p.m. 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
15	
16           Division Three:	Thursday-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
17	
18           Division Four:	Tuesday-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
19	
20           Division Five:	Friday-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
21	
22           Division Six:	Friday-8:30 a.m. to Noon and 1:30 p.m. 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
23	
24           Comm. Three:	Wednesday -8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)

25           **IT IS FURTHER ORDERED**, as to cases filed prior to January 1, 2013, and  
26 until further order of the Presiding Judge, the **CIVIL CASE** assignments shall be as  
27 follows:  
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(1) All civil cases currently assigned to the Honorable John Paul Plante,

1 Division Two, shall remain assigned to the Honorable John Paul Plante,  
2 Division Two.

3 (2) All civil cases currently assigned to the Honorable Larry Kenworthy,  
4 Division Three, shall continue to be assigned to the Honorable Larry  
5 Kenworthy, Division Three.

6 (3) All civil cases currently assigned to the Honorable David M. Haws,  
7 Division Four, shall be assigned to the Honorable David M. Haws,  
8 Commissioner Two.

9 (4) All civil cases currently assigned to the Honorable John N. Nelson,  
10 Division Five, shall continue to be assigned to the Honorable John N.  
11 Nelson, Division Five.

12 **IT IS ORDERED** beginning with cases filed January 1, 2013, and until further  
13 order of the Presiding Judge, that the Clerk of the Superior Court shall continue to  
14 assign civil cases as follows:

15 (1) All numbered cases, the last two digits of which number when divided  
16 by four (4) result in a remainder of one (1), shall be assigned to Division  
17 Five.

18 (2) All numbered cases, last two digits of which number when divided by  
19 four (4) result in a remainder of two (2), shall be assigned to Division  
20 Two.

21 (3) All numbered cases, the last two digits of which number when divided  
22 by four (4) result in a remainder of three (3), shall be assigned to  
23 Division Three.



- 1 (4) All numbered cases, the last two digits of which number when divided  
2 by four (4) result in a remainder of zero (0), shall be assigned to  
3 Commissioner Two.

4 **IT IS ORDERED** that effective January 1, 2013, and until further order of the  
5 Presiding Judge, the **PROBATE/GUARDIANSHIP CASE** assignments shall be  
6 assigned as follows:  
7

- 8 (1) All probate/guardianship cases currently assigned to the Honorable  
9 Mark Wayne Reeves, Division One, shall be reassigned to the  
10 Honorable A. James Clark, Division Four.  
11 (2) All probate/guardianship cases currently assigned to the Honorable  
12 Denise D. Gaumont, Commissioner Two, shall be reassigned to the  
13 Honorable A. James Clark, Division Four.  
14 (3) All probate/guardianship cases currently assigned to the Honorable John  
15 Paul Plante, Division Two, shall continue to be assigned to the  
16 Honorable John Paul Plante, Division Two.  
17 (4) All probate/guardianship cases currently assigned to the Honorable  
18 Larry Kenworthy, Division Three, shall continue to be assigned to the  
19 Honorable Larry Kenworthy, Division Three.  
20 (5) All probate/guardianship cases currently assigned to the Honorable Lisa  
21 W. Bleich, Commissioner Three, shall continue to be assigned to the  
22 Honorable Lisa W. Bleich, Commissioner Three.  
23 (6) All probate/guardianship cases currently assigned to the Honorable John  
24 N. Nelson, Division Five, shall be reassigned to the Honorable David M.  
25 Haws, Commissioner Two.  
26  
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1 (7) All probate/guardianship cases currently assigned to the Honorable  
2 Maria Elena Cruz, Division Six, shall continue to be assigned to the  
3 Honorable Maria Elena Cruz, Division Six.

4 **IT IS ORDERED** that beginning with cases filed January 1, 2013, and until  
5 further order of the Presiding Judge, the **PROBATE/GUARDIANSHIP CASE**  
6 assignments shall be assigned as follows:  
7

8 (1) All probate/guardianship cases shall be assigned on a rotation basis to  
9 the Honorable Larry Kenworthy, Division Three and to the Honorable,  
10 David M. Haws, Commissioner Two, with all odd numbered cases being  
11 assigned to Division Three and all even numbered cases being  
12 assigned to Commissioner Two.  
13

14 (2) Any probate/guardianship cases filed prior to January 1, 2013, that  
15 come on before the court for hearing or review after January 1, 2013,  
16 that are currently not assigned to the Honorable John Paul Plante, the  
17 Honorable Larry Kenworthy, the Honorable David M. Haws, the  
18 Honorable John N. Nelson, the Honorable Maria Elena Cruz, or the  
19 Honorable Lisa W. Bleich, shall be automatically assigned on a rotation  
20 basis to the Honorable Larry Kenworthy, Division Three and the  
21 Honorable David M. Haws, Commissioner Two, with all odd numbered  
22 cases being assigned to Division Three and all even numbered cases  
23 being assigned to Commissioner Two.  
24  
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26 **IT IS ORDERED**, beginning January 1, 2013, and until further order of the  
27 Presiding Judge, the **MENTAL HEALTH CASE** assignments shall be as follows:  
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1 (1) All mental health cases filed beginning January 1, 2013, shall be  
2 assigned to the Honorable John N. Nelson, Division Five, and

3 (2) Any mental health cases filed prior to January 1, 2013, that come  
4 before the court for hearing or review after January 1, 2013, shall be  
5 automatically reassigned to the Honorable John N. Nelson, Division  
6 Five.  
7

8 **IT IS ORDERED**, beginning January 1, 2013, and until further order of the  
9 Presiding Judge, the **SEXUALLY VIOLENT PERSON CASE** assignments shall  
10 continue to be as follows:

11 (1) All civil cases where a petition has been filed seeking an order of the  
12 court to detain a person as a Sexually Violent Person pursuant to the  
13 Sexually Violent Persons Act, ARS §§36-3701 through 36-3716, shall  
14 continue to be assigned to the Honorable Larry Kenworthy, Division  
15 Three; and  
16

17 (2) Any civil cases where a petition has been filed prior to January 1, 2013,  
18 seeking an order of the court to detain a person as a Sexually Violent  
19 Person pursuant to the Sexually Violent Persons Act, ARS §§36-3701  
20 through 36-3716, that come before the court for hearing or review after  
21 January 1, 2013, shall continue to be automatically reassigned to the  
22 Honorable Larry Kenworthy, Division Three.  
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25 **IT IS ORDERED** that effective January 1, 2013, and until further order of the  
26 Presiding Judge, the **ADOPTION CASE** assignments shall continue to be assigned  
27 as follows:  
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- 1 (1) All adoption cases shall be assigned on a rotation basis to the  
2 Honorable Kathryn Stocking-Tate, Commissioner One and to the  
3 Honorable Mark Wayne Reeves, Division One, with all odd numbered  
4 cases being assigned to the Honorable Kathryn Stocking-Tate,  
5 Commissioner One and all even numbered cases being assigned to the  
6 Honorable Mark Wayne Reeves, Division One; and  
7  
8 (2) Any adoption case filed prior to January 1, 2013, that comes on before  
9 the court for hearing or review after January 1, 2013, shall be  
10 automatically assigned on a rotation basis to the Honorable Kathryn  
11 Stocking-Tate, Commissioner One and the Honorable Mark Wayne  
12 Reeves, with all odd numbered cases being assigned to the Honorable  
13 Kathryn Stocking-Tate, Commissioner One, and all even numbered  
14 cases being assigned to the Honorable Mark Wayne Reeves, Division  
15 One.  
16

17 **IT IS ORDERED**, beginning January 1, 2013, and until further order of the  
18 Presiding Judge, the **ELECTION CONTEST** assignments shall continue to be as  
19 follows:  
20

- 21 (1) All "election contest" cases shall be assigned to the Honorable John N.  
22 Nelson, Division Five; and  
23  
24 (2) Division Five of the Superior Court in Yuma County shall be designated  
25 the "election division" of the Superior Court in Yuma County.

26 **IT IS ORDERED** beginning January 1, 2013, and until further order of the  
27 Presiding Judge, **DOMESTIC RELATIONS CASES**, except Title IV-D cases  
28 addressed below, shall be assigned as follows:

- (1) All domestic relations cases filed beginning January 1, 2013, shall continue to be assigned to the Honorable, John Paul Plante, Division Two;
- (2) All domestic relations cases filed prior to January 1, 2013, and currently assigned to the Honorable John Paul Plante, Division Two, shall continue to be assigned to the Honorable, John Paul Plante, Division Two;
- (3) All domestic relations cases filed prior to January 1, 2013, and currently assigned to the Honorable Mark Wayne Reeves, Division One, shall be reassigned to the A. James Clark, Division Four;
- (4) All domestic relations cases filed prior to January 1, 2013, and currently assigned to the Honorable Kathryn Stocking-Tate, Commissioner One, shall be reassigned to the Honorable A. James Clark, Division Four;
- (5) All domestic relations cases filed prior to January 1, 2013, and currently assigned to the Honorable Lisa W. Bleich, Commissioner Three, shall continue to be assigned to the Honorable Lisa W. Bleich, Commissioner Three;
- (6) All domestic relations cases filed prior to January 1, 2013, and currently assigned to the Honorable David M. Haws, Division Four, shall be reassigned to the Honorable David M. Haws, Commissioner Two;
- (7) All domestic relations cases filed prior to January 1, 2013, and currently assigned to the Honorable Denise D. Gaumont, Commissioner Two, shall be reassigned to the Honorable A. James Clark, Division Four;

- 1 (8) Any domestic relations cases, except Title IV-D cases addressed  
2 below, filed prior to January 1, 2013, that come on before the court for  
3 hearing or review after January 1, 2013, which are not  
4 assigned/reassigned to the Honorable John Paul Plante, Division Two,  
5 the Honorable David M. Haws, Commissioner Two, the Honorable John  
6 N. Nelson, Division Five, the Honorable Maria Elena Cruz, Division Six,  
7 or the Honorable Lisa W. Bleich, Commissioner Three, shall continue to  
8 be automatically assigned to the Honorable John Paul Plante, Division  
9 Two.  
10  
11 (9) All Title IV(D) child support actions initiated beginning January 1, 2013,  
12 by the Arizona Attorney General's Office shall continue to be assigned  
13 to the Honorable Kathryn Stocking-Tate, Commissioner One; and  
14  
15 (10) Any Title IV(D) child support actions initiated prior to January 1, 2013,  
16 by the Arizona Attorney General's Office, that come before the court for  
17 hearing or review after January 1, 2013, shall continue to be  
18 automatically assigned to the Honorable Kathryn Stocking-Tate,  
19 Commissioner One; and  
20  
21 (11) Any Title IV(D) cases assigned as set for above, that  
22 come before the court for hearing on some issue other than child  
23 support, and are not assigned/reassigned to the Honorable John Paul  
24 Plante, Division Two, the Honorable David M. Haws, Commissioner  
25 Two, the Honorable John N. Nelson, Division Five, the Honorable  
26 Maria Elena Cruz, Division Six, or the Honorable Lisa W. Bleich,  
27 Commissioner Three, shall continue to be automatically assigned to the  
28

1 Honorable John Paul Plante, Division Two for those contested issues.

2 These hearings would include, but not be limited to, a visitation issue, a  
3 custody issue, or a change of custody issue.

4 **IT IS ORDERED** beginning January 1, 2013, and until further order of the  
5 Presiding Judge, all Title IV(D) child support actions initiated by the Arizona Attorney  
6 General's Office shall continue to be heard by the Honorable Kathryn Stocking-Tate,  
7 Commissioner One, on Thursdays commencing at 8:30 a.m..  
8

9 **IT IS ORDERED** effective with all cases filed January 1, 2013, and until further  
10 order of the Presiding Judge, all order of protection hearings shall continue to be  
11 heard by the Honorable John Paul Plante, Division Two.  
12

13 **IT IS ORDERED** effective January 1, 2013, and until further order of the  
14 Presiding Judge, all domestic relations default actions shall be heard by the  
15 Honorable Maria Elena Cruz, Division Six, on Thursday mornings at 10:00 a.m..  
16

17 **IT IS ORDERED** effective January 1, 2013, and until further order of the  
18 Presiding Judge, that all cases in the Juvenile Division of the Yuma Superior Court  
19 shall continue to be assigned to the Honorable Kathryn Stocking-Tate, Commissioner  
20 One, and the Mark Wayne Reeves, Division One.

21 **IT IS ORDERED** effective January 1, 2013, and until further order of the  
22 Presiding Judge, that all cases of the Adult Drug Court shall be assigned to Division  
23 Four and Division Six. Division Four Adult Drug Court shall be heard on Fridays at  
24 3:00 p.m. and Division Six Adult Drug Court shall be heard on Mondays at 3:00 p.m..  
25

26 Notwithstanding the foregoing judicial assignments, during the absence or  
27 unavailability of any Superior Court Judge/Commissioner, another Superior Court  
28 Judge or Commissioner/Pro Tem may be substituted in his or her place.

1           **IT IS ORDERED** that Law and Motion Day shall continue to be the first  
2 working day of each week, with proceedings being held on that day unless otherwise  
3 set by the Judge assigned to a particular case.

4           **DATED** this 14<sup>th</sup> day of December, 2012.

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8           \_\_\_\_\_  
          Honorable John N. Nelson  
          Presiding Judge  
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**Copies to:**

Hon. Mark Wayne Reeves  
Hon. John Paul Plante  
Hon. Larry Kenworthy  
Hon. A. James Clark  
Hon. John N. Nelson  
Hon. Maria Elena Cruz  
Hon. Kathryn Stocking-Tate  
Hon. David M. Haws  
Hon. Lisa W. Bleich  
Hon. Gregory Stewart  
Hon. Jorge Lozano  
Hon. Russ Jones  
Hon. Lynn Fazz, Clerk of the Superior Court  
Margaret C. Guidero, Court Administrator  
Kathy Schaben, Trial Court Administrator  
Tim Hardy, Interim Chief Adult Probation Officer  
Tim Hardy, Director of Juvenile Court Services  
Jon Smith, Yuma County Attorney  
Michael Breeze, Yuma Public Defender  
Jose de la Vara, Yuma Legal Defender  
Ronald F. Jones, Conflict Administrator  
Sherri L. Williams, Caseflow Manager  
Yuma County Bar